

REMARKS

Claims 1-38 are pending in this application of which claim 37 is amended and claim 38 is new. Claims 1-37 have been rejected. Claims 1, 12, 13, 16-20, 22, and 25-37 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Or et al. (US 6,532,237) in view of Chandra et al. (US 6,397,359), and claims 2-11, 14, 15, 21, 23, and 24 have been rejected over the same combination in further view of Humpleman et al. (US 6,466,971). Reconsideration of claims 1-37, and entry and consideration of claim 38, are respectfully requested.

Regarding claims 1-21, independent claim 1 requires “a language subsystem for creating a network topology description for a scenario; a scenario scheduling subsystem for scheduling a particular, future time for a facility to execute the scenario and for reserving one or more requested devices to be utilized in executing the scenario; and a lab management subsystem for executing the scenario.”

Or et al. does not teach a scenario as defined by the specification of the present application. Therefore, Or et al. cannot teach a lab management subsystem for executing the scenario. Paragraph [0026] of the specification provides that “[t]he language and tool subsystem 40 enables the creation and common expression of lab network topologies and configurations (scenarios) that are used by the system 12 to execute customized testing scenarios.” Similarly, paragraph [0039] refers to “the ability to create new lab scenarios from previously created lab topologies and configurations.” Clearly, a scenario comprises both a network topology and configurations. The configurations that are part of the scenarios of the present invention are device configurations (“the software authoring tool 41 is built upon Visio ... for creating NDL descriptions of lab network topologies and device configurations.” (paragraph [0027])).

On the other hand, Or et al. teaches “generating the PTSEs describing the network configuration to be simulated (step 30)” (col. 11 line65 – col. 12 line 2). While the PTSEs specify a network topology, they do not specify node configurations. Rather, Or et al. teaches that “[t]he node under test 27 and node 104 are standard nodes that do not require modification for purposes of the invention” (col. 11 lines 37-39). Thus, in Or et al. it is not necessary to specify node configurations as the nodes do not require modification. Accordingly, Or et al. does not teach a scenario within the meaning of the present invention as Or et al. does not teach

specifying both a network topology and device configurations. Or et al., therefore, cannot teach the limitations of “a scenario” or “a lab management subsystem for executing the scenario.”

As noted by the Examiner, Or et al. does not teach “a scenario scheduling subsystem for scheduling a particular, future time for a facility to execute the scenario and for reserving one or more requested devices to be utilized in executing the scenario.” The Examiner has relied on Chandra et al. for these limitations. Applicants assert that Chandra et al. also does not teach or suggest a scenario within the meaning of the present application, and therefore cannot teach a scenario scheduling subsystem for scheduling a particular, future time for a facility to execute the scenario.

Applicants also point out that Chandra et al. does not teach a subsystem for reserving one or more requested devices. Paragraph [0061] of the present specification provides, “[i]n order to schedule a reservation for a lab session, the user may navigate via the web browser application to a scheduling webpage, and enter the preferred time, date and duration of the lab session he/she wishes to schedule. The user may also indicate the topology containing the equipment he/she wishes to reserve.” Reserving equipment or devices implies that the devices are scheduled to be available at a predetermined time.

On the other hand, Chandra et al. notes that “[t]he present invention tests the performance of communications network 12 by the scheduled execution of test protocols between the various endpoint nodes 14, 15, 16, 17, 18 over communications network 12” (col. 6 lines 60-64). While the endpoint nodes are available at the scheduled test time, there is no indication that they need to be reserved to be made available. In other words, since the endpoint nodes being tested appear to be always available for testing, Chandra et al. does not teach an act of reserving the endpoint nodes.

Since Or et al. does not teach or suggest a scenario as used in the present application, and Chandra et al. does not teach or suggest reserving one or more requested devices, the combination of the two references cannot teach or suggest the language, scheduling, and lab management subsystems of claim 1. Thus, the combination of Or et al. and Chandra et al. is not sufficient to form a *prima facie* case of obviousness. Applicants therefore submit that claim 1 is allowable in view of the combination of Or et al. and Chandra et al. and request that claim 1 be allowed. Furthermore, since claims 2-21 depend from claim 1, Applicants submit that claims 2-21 are also allowable in view of Or et al. and Chandra et al. with or without Humpleman et al.

for at least the same reasons given above in conjunction with claim 1, and request that claims 2-21 also be allowed.

Regarding claims 22-29, independent claim 22 recites at least each of the limitations of claim 1. Applicants therefore submit that claim 22 is allowable over the combination of Or et al. and Chandra et al. for at least the same reasons as claim 1 and therefore request that claim 22 be allowed. Furthermore, since claims 23-29 depend from claim 22, Applicants submit that claims 23-29 are also allowable over Or et al. and Chandra et al. with or without Humpleman et al. and request that claims 23-29 also be allowed.

Regarding claims 30 and 31, independent claim 30 recites essentially the same limitations as claim 1 in means plus function form. Applicants therefore submit that claim 30 is allowable over the combination of Or et al. and Chandra et al. for the same reasons as claim 1 and therefore request that claim 30 be allowed. Furthermore, since claim 31 depends from claim 30, Applicants submit that claim 31 is also allowable over Or et al. and Chandra et al. and request that claim 31 also be allowed.

Regarding claims 32-36, independent claim 32 recites a method comprising creating a network topology description for a scenario, scheduling the execution of the scenario, and executing the scenario. The limitations of claim 32 essentially mirror the functions of the subsystems of claim 1. Applicants therefore submit that claim 32 is allowable over the combination of Or et al. and Chandra et al. for at least the same reasons as claim 1 and therefore request that claim 32 be allowed. Furthermore, since claims 33-36 depend from claim 32, Applicants submit that claims 33-36 are also allowable over Or et al. and Chandra et al. and request that claims 33-36 also be allowed.

Independent claim 37, as amended, recites a method comprising the steps of designing a scenario to specify a network topology for a plurality of devices and configurations for the devices, reserving one or more of the devices in a remote lab, and configuring the devices in accordance with the scenario. For essentially the reasons provided above with respect to claim 1, Or et al. in view of Chandra et al. does not teach or suggest designing a scenario that specifies

both a network topology for a plurality of devices, and configurations for those devices. Since the references do not teach or suggest specifying device configurations within a scenario, it follows that the combination of references does not teach or suggest configuring the devices in accordance with the scenario. Likewise, for essentially the reasons provided above, Or et al. in view of Chandra et al. does not teach or suggest reserving one or more devices in a remote lab. Applicants submit that claim 37 is allowable over the combination of Or et al. and Chandra et al. and therefore request that claim 37 be allowed.

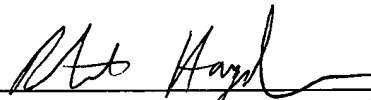
CONCLUSION

Based on the amendments and foregoing remarks, Applicants believe that the rejections in the Office Action are fully overcome and that the application is in condition for allowance. If Examiner has any questions regarding the case, Examiner is invited to contact Applicants' undersigned representative.

Respectfully submitted,

Charles A. Price et al.

Date: 9/16/2005

By: 
Robert Hayden, Reg. No. 42,645
Carr & Ferrell LLP
2200 Geng Road
Palo Alto, CA 94303
Phone: (650) 812-3400
Fax: (650) 812-3444